S.B. CIVIL WRIT PETITION NO.5544/2004.
(PRITHVI RAJ VS. STATE & ANR.)

DATE OF ORDER : 22.03.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr. N.L. Joshi for the petitioner/s.
Mr. Shyam Ladrecha, AGA, for the respondent/s.

A seniority list of the foresters working in the Department of Forest, Government of Rajasthan was issued on 20.09.1993. Under an office order dated 26.08.2003, names of certain other foresters were included in the seniority list dated 20.09.1993. While doing so, objections, if any, were also invited. By an another office order dated 31.05.2004, names of 208 foresters were further added to the seniority list dated 20.09.1993. Subsequent thereto, by an order dated 05.06.2004, 28 persons were promoted on temporary basis as Ranger Grade II against vacancies pertaining to the year 1999-2000 and 2002-03.

The grievance of the petitioner is that by the order dated 05.06.2004 promotions are given by the respondents without declaring a final seniority list.

A reply to the writ petition has been filed on behalf of the respondents stating therein that by the office order dated 26.08.2003 and 31.05.2004, the names of certain foresters are added with the seniority list dated 20.09.1993 and the promotions under the order dated 05.06.2004 are given in accordance with law and no person junior than the petitioner is promoted. As such, the grievance of the petitioner is mis-conceived.

Heard learned counsel for the parties.

From perusal of the documents dated 26.08.2003 and 31.05.2004, it is apparent that by these orders names of certain foresters were included in the seniority list dated 20.09.1993. The order dated 05.06.2004 was passed by the respondents effecting promotions of 28 persons in accordance with the existing rules and no person junior than the petitioner has been promoted. Therefore, I am in agreement with the contentions of the respondents that as a matter of fact there is no cause for the petitioner to get aggrieved. Beside that it is also relevant to note that the order dated 05.06.2004 cannot be quashed in absence of the persons who were promoted by that order.

In view of whatever discussed above, I do not find any merit in this petition for writ, the same, therefore, is dismissed.

(GOVIND MATHUR)J.

Anil/